

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LIANG YANG, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

v.

TRUST FOR ADVISED PORTFOLIOS,
INFINITY Q CAPITAL MANAGEMENT LLC,
CHRISTOPHER E. KASHMERICK, JOHN C.
CHRYSTAL, ALBERT J. DIULIO, S.J., HARRY
E. RESIS, RUSSELL B. SIMON, LEONARD
POTTER, and JAMES VELISSARIS,

Defendants.

No. 1:21-cv-01047-FB-RLM

NOTICE OF NON-OPPOSITION

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

NOTICE IS HEREBY GIVEN THAT the Palm Beach Investor Group (“Movants”) hereby file this Notice of Non-Opposition to the competing motion for appointment as lead plaintiff and approval of lead counsel filed by movant Schiavi + Company LLC d/b/a Schiavi + Dattani (“Movant Schiavi + Dattani”). ECF No. 23.

Movants have: (i) evaluated each of the competing movants’ motions; (ii) considered the claims asserted in this action; and (iii) believe, as a consequence, that it appears that Movants do not have the largest financial interest. Movant Schiavi + Dattani appears to assert the largest individual loss and is, therefore, the presumptive lead plaintiff with the largest financial interest pursuant to the Private Securities Litigation Reform Act of 1995. 15 U.S.C. § 78u-4(a)(3)(B)(iii).

This Notice of Non-Opposition shall have no effect on, and is without prejudice to, Movants’ status as members of the proposed class including, but not limited to, the right to share

in any recovery from the resolution of this litigation through settlement, judgment, or otherwise.
Furthermore, Movants remain ready, willing, and able to serve as Lead Plaintiffs if the need arises.

Dated: May 11, 2021

RESPECTFULLY SUBMITTED,

s/ Matthew M. Guiney
Matthew M. Guiney
Kevin G. Cooper
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